IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 1667 of 2005

Between:

Maki Reddy Satyanarayana S/o.Appalanaidu,
Narsipatnam, Mandal, Visakhapatnam District.

..... PETITIONER

AND

1 District Panchayath Officer, Visakhapatnam.
2 The Divisional Panchayath Officer Narsipatnam, Visakhapatnam District.
3 The District Collector, (Panchayath Wing) Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more one in the nature of writ of Mandamus declaring the Proceedings of the 1st respondent issued inRc.No.1344/2004/A4 Dt.24.9.2004 in directing the petitioner not to draw the monies of the Grampanchayat lodged in Sub Treasury, Postal Savings Bank, or in any other sources pending enquiry and not conducting enquiry even after 4 months as illegal, arbitrary and contrary to the First Proviso to Rule 42 (1) of the Rules issued in g.O.Ms.No.30 PR and RD and Relief (Pts-III) Department Dt.20.1.1995 and set aside the same and pass such other order.

Counsel for the Petitioner: MR.M.SUBBA REDDY

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

O R D E R:

The petitioner is the Sarpanch of the Gabbada Grampanchayat, Narsipatnam Mandal.

By proceedings dated 24-09-2004 issued by the District Panchayat Officer, Visakhapatnam - the first respondent, the petitioner was informed that an enquiry has been initiated against him on the alleged irregularities in the administration of the Gram Panchayat as specified in the said proceedings and he was called upon to submit his explanation. Under the same proceedings, it was also ordered that the petitioner should not draw the money of the Gram Panchayat lodged in Sub-Treasury, Postal Savings Bank or in any other sources till final orders are passed.

The grievance of the petitioner is that though he submitted his explanation immediately after receipt of the said proceedings, no further steps have been taken by the District Panchayat Officer and in the meanwhile he was not allowed to operate the funds of the Gram Panchayat.

Having heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents, without

expressing any opinion with regard to the correctness of the allegations made against the petitioner, the writ petition is disposed of with a direction to the District Panchayat Officer, Visakhapatnam - the first respondent, to complete the enquiry initiated against the petitioner and to pass appropriate orders in accordance with law, after affording due opportunity to the petitioner, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

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(G. ROHINI, J)

Date:04-02-2005

ghn

To

1 District Panchayath Officer, Visakhapatnam.

2 The Divisional Panchayath Officer Narsipatnam, Visakhapatnam District.

3 The District Collector, (Panchayath Wing) Visakhapatnam.

4 Two C.Cs. to the G.P. for Panchayath Raj and Rural Development,

High Court of A.P., Hyderabad.

5 Two C.D copies